IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVN.APPLN.NO.51 OF 2007

Shri.Babasaheb Mahadeo Shinde ..Applicant

Vs.

State of Maharashtra & Anr. ..Respondents

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Mr.P.N.Wagh advocate for applicant
Mr.Rajesh More A.P.P. for the State
Mr.rahul Karnik for Respondent No.2.

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : APRIL 27, 2007

P.C.

1. Heard the learned advocate for the applicant-original accused, the learned advocate for the respondent no.2-orignial complainant and the learned A.P.P. for the State.

2. The applicant has been convicted under Section 138 of Negotiable Instruments Act by the judgment and order dated 30.9.2005 by the learned Metropolitan Magistrate, 31st Court, Vikhroli, Mumbai in C.C.No.109/SS/2005. The appeal preferred by the applicant came to be dismissed by the learned Special and Addl.Sessions Judge, Gr.Bombay

by judgment and order dated 24.11.2006. Being aggrieved thereby, the applicant has preferred the present revision application.

3. During the pendency of this revision, parties have arrived at settlement and they have preferred Misc. Criminal Application No.144 of 2007 for compounding of offence. In view of the said application, permission is granted to compound the offence and the applicant is acquitted under the said offence.

4. The respondent no.2-original complainant is permitted to withdraw the amount of Rs.20,000/- deposited by the applicant in the Sessions Court at Gr. Bombay. So also respondent no.2-original complainant is permitted to withdraw the amount of Rs.5000/- deposited by the applicant towards bail bond.

5. Revision and the Misc. Application are disposed of in the above terms.

[Smt.V.K.Tahilramani, J.]